



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

AUG 13 2001

OFFICE OF  
CIVIL RIGHTS

**RETURN RECEIPT REQUESTED**

Certification No. 7000-0600-0029-3839-5244

**In Reply, Refer To:**

EPA/OCR File No. 04R-01-R10

[REDACTED]  
[REDACTED]  
[REDACTED]

**Re: NOTIFICATION OF REJECTION OF ADMINISTRATIVE COMPLAINT**

Dear [REDACTED] [REDACTED]

The U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR) has received your undated Title VI complaint concerning [REDACTED]. OCR is responsible for processing and investigating complaints of discrimination filed against programs or activities that receive financial assistance from EPA.

Under Title VI, a recipient of Federal financial assistance may not discriminate on the basis of race, color, or national origin. Pursuant to EPA's Title VI implementing regulations, OCR conducts a preliminary review of Title VI complaints for acceptance, rejection, or referral. 40 C.F.R. § 7.120(d)(1). A complaint must meet the jurisdictional requirements described in EPA's Title VI regulations for investigation. First, it must be in writing. Second, it must describe an alleged discriminatory act that violates EPA's Title VI regulations (*i.e.*, an alleged discriminatory act based on race, color, or national origin). Third, it must be filed within 180 days of the alleged discriminatory act. 40 C.F.R. § 7.120. Fourth, because EPA Title VI regulations only apply to applicants and recipients of EPA assistance, the complainant must identify an applicant or a recipient of EPA assistance that allegedly committed the discriminatory act. 40 C.F.R. § 7.15.

Based on these requirements, OCR cannot accept your complaint for investigation. Your complaint fails to identify a recipient of EPA financial assistance, as well as state an alleged discriminatory act based on race, color, national origin that would violate Title VI or EPA's implementing regulations. Finally, your complaint was filed more than 180 days after the alleged discriminatory act took place. Therefore, OCR must reject your Title VI complaint.

If you have any questions, please contact Mike Mattheisen in OCR by telephone at 202-564-7272, by electronic mail at [mattheisen.mike@epa.gov](mailto:mattheisen.mike@epa.gov), or by mail at U.S. EPA, Mail Code 1201A, Washington, D.C., 20460-0001.

Sincerely,

  
Karen Higginbotham  
Acting Director

encl. a/s

cc: Anna Wolgast, Acting General Counsel  
Office of General Counsel (MC 2310A)

Rafael DeLeon, Associate General Counsel  
Civil Rights Law Office (MC 2399A)

Sylvia Lowrance, Acting Assistant Administrator  
Office of Enforcement and Compliance Assurance (MC 2201A)

Barry E. Hill, Director  
Office of Environmental Justice (MC 2201A)

Marsha Minter, Special Assistant  
Office of the Administrator (MC 1103)

Chuck Findley, Acting Regional Administrator  
EPA Region 10

Monica Kirk, Title VI Contact  
EPA Region 10